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**AN ORDINANCE
BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

01- 0 -0492

**AN ORDINANCE TO CREATE THE NORTHWEST ATLANTA TWO COMMERCIAL/INDUSTRIAL
ENTERPRISE ZONE EXPANSION AND FOR OTHER PURPOSES**

WHEREAS, an amendment to the Constitution of the State of Georgia was adopted by referendum in November 1982 giving the Council of the City of Atlanta power to create urban enterprise zones in the City of Atlanta; and

WHEREAS, enabling legislation known as the Atlanta/Fulton County Urban Enterprise Zone Act was enacted by the Georgia General Assembly and signed by the Governor in March 1983 and subsequently amended; and

WHEREAS, the Atlanta/Fulton County Urban Enterprise Zone Act gives the Council of the City of Atlanta authority to designate areas within the City as urban enterprise zones for commercial purposes if certain conditions are met; and

WHEREAS, designation of a Commercial/Industrial Enterprise Zone exempts the taxable value of property within the zone only from ad valorem taxes for City purposes, but the Board of Commissioners of Fulton County, by appropriate resolution, may exempt from ad valorem taxation for County purposes the taxable value of the same property exempted by the City; and

WHEREAS, types of property may be exempted, conditions must be met by owners of private property to qualify for an exemption, period and rate of exemptions, and elections may be made by the Atlanta City Council among various types of exemptions which are specified by State law; and

WHEREAS, State law provides that an exemption from ad valorem taxation for City purposes also includes, but is not limited to, school and educational purposes; and

WHEREAS, the city of Atlanta Development Impact Fee Ordinance provides that, under certain conditions, the City may exempt development in urban enterprise zones from the requirement to pay development impact fees; and

WHEREAS, it is the expressed intent of the Atlanta City Council to use urban enterprise zone legislation as an incentive to generate private investment in areas of the City which otherwise might not attract such investments for commercial construction and job creation purposes; and

WHEREAS, the conditions and qualifications of the Atlanta/Fulton County Urban Enterprise Zone Act, as amended, have been met relative to the creation of the Northwest Atlanta Two Commercial/Industrial Enterprise Zone Expansion;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY
ORDAINS**

Section 1: It is found by the Council of the City of Atlanta that the area in and around the 841 Ashby Street area is economically and socially depressed. It is further found that areas such as this contribute to or cause unemployment, create an inordinate demand for public services and, in general, have a deleterious effect on the public health, safety, welfare, and morals. It is further found that these areas, as is the case with the 841 Ashby Street area, are characterized by no investment or under-investment by private enterprise in ventures that produce jobs, trade, provision of services, and economic activities which individually and together contribute to a healthy society. This lack of private investment and activity contributes to social and economic depression in such areas. Therefore, it is in the public interest that incentives be provided to private enterprise to invest in such areas, and that such private enterprise place priority upon the

employment of those residents in those economically and socially depressed areas designated herein as urban enterprise zones.

Section 2: The Northwest Atlanta Two Commercial/Industrial Enterprise Zone Expansion is hereby created. The effective date of all exemptions established therein shall be January 1, 2002. The Northwest Atlanta Two Commercial/Industrial Enterprise Zone Expansion shall be abolished on December 31, 2011. The Northwest Atlanta Two Commercial/Industrial Enterprise Zone Expansion shall otherwise not be abolished except as provided in State law. A legal description of The Northwest Atlanta Two Commercial/Industrial Enterprise Zone Expansion is attached hereto as Exhibit "A", and made a part hereof, and shall be on file in the Bureau of Planning and the Office of the Municipal Clerk.

Section 3: Any jobs created in this industrial enterprise zone, created subsequent to the adoption of the ordinance from which this subsection derives shall be subject to the requirements of chapter 2 article XI of this Code, pertaining to the first source jobs policy.

Section 4: The Municipal Clerk is hereby directed to transmit a copy of this Ordinance as well as the legal description of The Northwest Atlanta Two Commercial/Industrial Enterprise Zone Expansion to the Tax Commissioner of Fulton County, to the Commissioner of the Department of Community Affairs of the State of Georgia, and to the Superintendent of the Atlanta Board of Education immediately upon approval by the Mayor of the City of Atlanta.

Section 5: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

**PROPOSED NORTHWEST ATLANTA TWO
INDUSTRIAL/COMMERCIAL ENTERPRISE ZONE
LEGAL DESCRIPTION**